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NOTES OF CASES.

Defense to Removal from Office.—In *State v. Baughn*, 143 Northwestern Reporter, 1100, it appeared that the mayor of an Iowa town partook of a beverage on a certain evening to such an extent that he rendered himself subject to removal from office on the ground of intoxication. Of this state of affairs he was apprised by an attorney, who, on the following day, threatened removal proceedings, but before they had been begun he resigned, whereupon the town council reappointed him again to office. Removal proceedings were then instituted because of the intoxication of which the mayor was guilty before resignation. The Supreme Court of Iowa held that the council's maneuver in reappointing him to office could have no effect upon the removal proceedings.

Automobile — Unauthorized Use — Liability of Owner.—That the owner of an automobile cannot, under the due process and equal protection clauses of the Constitution, be made liable for injury to strangers, through its use by persons who have taken it without his knowledge or permission, although their acts do not constitute larceny, is held in the Michigan case of *Daugherty v. Thomas*, 140 N. W. 615, 45 L. R. A. (N. S.) 699. This appears to have been the first case squarely passing upon the constitutionality of a statute which undertakes to render the owner of an automobile absolutely liable for injuries caused thereby, irrespective of negligence on his own part or on the part of anyone for whose conduct he is responsible.

Murder by Stabbing Causing Pneumonia.—A stab in the back which pierced the left lung caused one Miller's removal to the hospital. Two days thereafter his temperature shot up, his pulse became rapid, and pneumonia developed, which caused his death a few days later. His assailant was convicted of murder in the second degree, the jury finding that the disease was caused by the wounds. Expert testimony showed that pneumonia is caused by a bacillus or germ, known as pneumococcus, getting into the lungs from outside either by inhalation or by infection through a wound. The Supreme Court of Minnesota, in *State v. James*, 144 Northwestern Reporter, 216, in discussing the evidence, said: "We have given careful consideration to the evidence, and reach the conclusion that we ought not to say that the verdict finding that defendant caused the death of Miller is based on the mere possibility or probability that the bacillus reached Miller's lungs through the wounds inflicted by defendant, or upon conjecture. We have already mentioned, in the statement of facts, some of the considerations that lead us to reach this conclusion. Miller exhibited no signs of having inhaled the dreaded pneu-